

# FARMINGTON CITY PLANNING COMMISSION

Thursday, May 26, 2005

---

## PLANNING COMMISSION REGULAR SESSION

***Present:*** Chairman Cory Ritz, Commission Members Keith Klundt, Annie Hedberg, John Montgomery, Kevin Poff, Cindy Roybal, and Jim Talbot, City Planner David Petersen, and Recording Secretary Jill Hedberg.

**Chairman Ritz** called the meeting to order at 7:00 P.M. **John Montgomery** offered the invocation.

## APPROVAL OF MINUTES

**Jim Talbot** moved that the Planning Commission approve the minutes of the May 12, 2005, Planning Commission Meeting. **Annie Hedberg** seconded the motion. The Commission voted unanimously in favor.

## REPORT OF CITY COUNCIL (Agenda Item #2)

**David Petersen** reported the proceedings of the City Council meeting which was held on May 12, 2005. He covered the following items:

- The City Council adopted an Ordinance authorizing the Mayor to enter an order to vacate and amend Lot 4 of the Farmington Down's Subdivision. The amendment was approved by a 3 to 2 vote.
- The City Council authorized the Mayor to sign a Revocation of Easement document which would narrow an easement along the lot line within the Farmington Greens Subdivision by 1½ feet, subject to confirmation that all appropriate provisions of statute had been complied.
- The City Council approved the final plat on the Silverwood Subdivision subject to conditions being met.
- The City Council discussed the Master Transportation Plan. Recommendations will not be formulated until the public comment period has expired on June 1, 2005.

**FARMINGTON CITY (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION TO THE CITY COUNCIL TO ENACT CHAPTER 20 OF THE ZONING ORDINANCE TITLED "NEIGHBORHOOD MIXED USE (NMU) ZONE" (ZT-8-04) (Agenda Item #3).**

**Background Information**

The Planning Commission met with the Neighborhood Mixed Use (NMU) Committee in a joint study session on May 18, 2005. Those in attendance received a copy of the enclosed draft NMU Text, which was prepared and recommended by the NMU Committee. The NMU Committee included the following members: Rick Dutson (City Council), Cindy Roybal (Planning Commission), Jim Talbot (Planning Commission), Dave Thomas, Joe Pehrson, Dave Dixon, David Potter, and Harv Jeppson. Dan Anderson also attended the last meeting. City Staff included: David Petersen, City Planner, and Jim Carter (Consultant).

END OF PACKET MATERIAL.

**David Petersen** listed the text alterations that had been made which could be summarized by four broad elements.

1. Uses abutting different street classifications.
2. Uses over 15,000 square feet shall be subject to a different set of standards.
3. Minimum lot size increased for single and two family dwellings.
4. Design
  - rear of buildings
  - landscaping

- parking
- paving
- signage
- site furniture
- outdoor lighting
- storm drain
- fencing

**Mr. Petersen** explained how the alterations had occurred. He said the text had been reviewed and was tabled in November and December, 2004, and again in January 2005. A committee was then formed. The Planning Commission asked that the item be brought back to them within a few weeks. The committee met several times and became aware the revisions would take longer than anticipated to resolve. The NMU committee assigned three traffic engineers to address the Frontage Roads need for a right-in/right-out. The traffic engineers agreed it was a Limited Access entry. The NMU Committee met again and recommended the Planning Commission recommend the text to the City Council.

At the previous study session, there were changes made to the Purpose section. All other text will remain the same. He stated a courtesy notice had been sent to certain individuals who had requested the information as it became available.

**Chairman Ritz** reminded the public to address the NMU text, not specific developments.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing.

**Sharon Treu** (931 West Northridge Road) stated the zoning ordinance had little resemblance to the original text. She current text would allow larger stores to be built. She said the Citizens of Farmington wanted to make sure Main Street remained residential and asked the Planning Commission to protect the residents. She asked that commercial areas be limited to areas already zoned commercial. She said she was concerned about the safety of school children and listed studies regarding children in the area. She said a difference between Centerville and Farmington is the amount of commercial space allowed near residential areas. She felt the text was loosely defined and was concerned the City would jeopardize their ability to enforce commercial development. She urged the Planning Commission to not approve the Neighborhood Mixed Use Zone text.

**Richard Heindel** (715 Somerset) addressed specific concerns he had regarding the text.

**11-20-103 (b) Conditional Uses:** He was concerned the Conditional Use text would allow for larger buildings. He also felt some of the uses listed needed to be more clearly defined.

**11-20-103 North Main Street Restriction:** He felt the document should be more general and should not single out specific areas in the community. He was also concerned the screening devices could be unattractive if not carefully designed.

**11-20-105 (a) Density and Dimensional Standards:** He questioned the maximum density per acre.

(1) He felt the 25' setback was inappropriate for a two story commercial structure. He questioned if it could be properly screened.

**11-20-106 Design Standards:** He did not think the design standards were in the best interest of cyclists, pedestrians and children. He felt some of the requirements were outdated and would create architectural challenges.

He addressed other concerns such as inadequate sidewalk widths, trees blocking lighting, and lack of shade due to tree spacing.

**Dan Anderson** (678 Ridgewood Circle) was a spokesman for the Citizens of NMU. He had concerns regarding the following sections of the NMU text:

- 11-20-101a - He felt the text deletions should be reinstated.
- 11-20-101f - He opposed the language being submitted.

- 11-20-103 - He felt the text should be rewritten.
- 11-20-103b - He felt *major arterial roadways and interchanges* should be better defined.
- 11-20-103c - He felt the word “mature” should be included when addressing landscaping.
- 11-20-103d - He felt there should be a 40,000 square foot cap placed on special exception buildings.
- 11-20-103d (1) - He felt the Traffic Impact Analysis should be paid by the applicant.
- 11-20-105a - He felt there should be a cap placed on the amount of units allowed.
- 11-20-105a (1) - He did not think the residential set backs were adequate.
- 11-20-106b - He felt the building quality should be equal or higher than the existing development. He suggested leaving the text that had been deleted.

He felt the text had been “wrapped around” a development which was not allowed to be discussed. He stated there were plans and pictures exhibited at most of the NMU meetings. He informed the Planning Commission that he would submit the above suggestions, as well as other suggestions for their review.

**Chairman Ritz** stated the development proposal came in conjunction with the zoning need. He said the zoning issue needed to be addressed first, then it could be determined whether

the development could meet the zoning requirements.

**Doreen Poulsen** (1732 North Main) felt some of the NMU had been created to facilitate the development. She felt the text had been reconfigured to allow larger facilities in areas which were originally zoned for light commercial use. She did not believe the traffic and safety issues had been adequately addressed. She wanted to make it clear that Mr. Perrin, one of the three traffic engineers, had signed off on the statistic used for the analysis but did not agree with the proposed solutions or conclusions. She felt the citizens had a duty to be informed and contribute their input. She commended **Max Forbush** and **David Petersen** for the contributions they make to the City.

**Paul Hayward** (1663 West 1410 North) did not think the entire community had been represented by the NMU committee members. He felt there were already too many residential projects within the City and that the entire community could not become housing. He did not think it was appropriate to buffer dwellings with other dwellings. He reminded the Planning Commission that housing does not contribute to the tax base, rather decreases it. He felt the Davis County School District had the poorest locations of schools, which created many of the City's problems. He did not think there was enough regional/local demand for smaller business. He felt building size should be addressed on a case by case basis.

**Dave Dixon** questioned whether people really understood the ordinance and said the text



included many positive aspects. He listed the improvements that had been made to the text:

- Only residential development would be allowed near Main Street.
- Generous landscaping
- Any buildings near Main Street would be limited to 10,000 square feet.
- Smaller buildings would require pitched roofs to resemble residential buildings.
- All buildings near Highway 89 would be limited to 15,000 square feet unless the developer could prove to the City why it should be increased.

He said the Ordinance had been made tighter than it was and that the City had full control over what was allowed. He answered questions previously asked by the public.

- He stated developments were commonly discussed at the same time as the zoning.
- He stated the Master Transportation Plan would determine which roads were considered major.
- The Ordinance is one of the most restrictive ordinances Farmington has. He felt it was a product the City could feel proud of.
- The Ordinance is not the same as the Commercial Mixed Use (CMU). The CMU would allow bigger boxes and higher density housing. He felt it was an opportunity for the City but the opportunity could be lost.

**Doug Shepherd** (1798 Okehampton Court) felt the NMU was supposed to maintain the “neighborhood feel”. If larger buildings, streets, and parking lots were going to be allowed, it should be zoned commercial. He hoped the City would give specific size limitations to future developments.

**Wayne Klein** (724 Sharingham Court) favored the Neighborhood Mixed Use concept. He felt it would be an improvement to Farmington and that people should be able to shop and dine within the City. He was concerned about high density apartments.

**Blaine Leonard** (772 West South Hampton) stated that every project brings change and that change brings controversy and opposition. He said Farmington has been in a constant state of change. He encouraged the Planning Commission to recommend the adoption and to carefully enforce future developments.

**Suzanne Leonard Hess** (947 North Main) strongly urged the Planning Commission, on behalf of her family, to recommend the text to the City Council so the project could progress.

**Mr. Potter** (1745 North Main) urged the Planning Commission to adopt the text. He said other citizens had taken the text out of context. The screening was designed to hide dumpsters and air conditioners. Jim Carter said it was an advantage to be able to consider the current project while creating the zoning but the text could also be applied to different projects within the

City. He did not feel the power of the City would be altered. He stated the NMU Committee had worked for over a year and suggested the process move forward.

**Mark Howard** (681 West ? Court) encouraged the Planning Commission to forward the text to the City Council, although he was concerned certain some aspects of the NMU text were not properly defined, which could have a negative impact on the City.

**David Mulholland** (434 Welling Way) said he surprised Mr. Leonard and Mr. Potter thought the NMU text was perfect and that it should be passed. He felt the NMU text was written for the proposed development. He strongly urged the Planning Commission to review the comments of the first three speakers. He felt there were serious safety issues that needed to be addressed.

**Carly Neil** (1454 North 900 West) questioned why the text should be considered an NMU rather than a CMU. She felt homeowners should be informed as to what could occur on their land. She thought certain terms should be clarified. She suggested addressing road access issues before approving the development.

**Don Leonard** (715 West Leonard Lane) said he was impressed with the amount of support the NMU zoning had received. He pointed out some positive aspects of the draft:

- Text size being increased from the original draft meant the document included greater detail.
- The document was restrictive but provided flexibility.
- The document would require rigorous steps to be taken before a developer would be granted approval. The Ordinance would allow the City the right to govern.

He felt the NMU Ordinance had been a fair compromise. He asked the Planning Commission to recommend the text to the City Council for adoption.

**David Safeer** (790 Southhampton Court) felt the Ordinance met the needs of both Highway 89 and Main Street. He felt the document should have open-ended definitions because there needed to be flexibility for certain developments. He trusted the City officials to make appropriate decisions on the residents behalf. He encouraged the Planning Commission to promptly resolve issues so citizens could get on with their lives.

**Patricia Anderson** (671 Somerset Street) did not think Main Street should have any more high density housing and felt the increased traffic would qualify the area for commercial zoning. She did not think large developments should be included in an NMU zone. She said the main priority should be the safety of the community. She suggested making the Conditional Uses text more specific in order to protect the City from lawsuits.

**Harv Jeppson** (1717 North Main) felt the zoning should have been created before the development but considered the text appropriate. He said he was willing to leave his home because it would benefit “the people”. He felt the text would protect the City from potential lawsuits.

**Ms. ? Hager** (1752 Ramsgate) felt Mr. Dixon should not have been a NMU Committee Member since he was employed by the developer. She said the NMU Committee’s citizen advisory standards should be the same as the Planning Commission or City Council.

With no further comments, **Chairman Ritz** closed the public hearing and invited the Planning Commission to consider the issues.

**Chairman Ritz** commended the NMU Committee Members who served and dedicated their time. He felt it was a good document and suggested it be forwarded to the City Council. He invited **Jim Carter** to address the Planning Commission.

**Jim Carter** of Bear West Consulting said he was obtained by the City of Farmington to work with the NMU Committee to create the zoning text. He stated most residents were not familiar with the NMU zone. It was his job to educate the people. He said the term “neighborhood” was defined by an individual’s perceptions and needs. He attempted to help the

committee determine what their neighborhood was made up of and what their needs were. He said most communities don't create mixed-use until it was needed. As a consultant, he did not have a recommendation but felt the public's input was the important factor. He said he favored mixed-use developments being analyzed on a case by case basis.

**Jim Talbot** said he understood the considerations of both sides and the compromises that had been made. He felt it had been a long process but the property owners had been patient. He felt some items in the text were too broad but suggested trusting the City's representatives to make the appropriate decisions on the City's behalf. He suggested the Planning commission review the public input received and focus on the building square footage concerns.

**Cindy Roybal** said she was ready to move forward and suggested recommending the text to the City Council. She felt most of the public's concerns had been previously addressed but there items mentioned by Dan Anderson that the Planning Commission should review. She felt the text should be more specific, as in the CMU and that building size limitations should be resolved.

**Annie Hedberg** said she was understanding of both sides. She felt certain individuals would oppose the NMU text regardless of the changes made. She was in favor of recommending the text to the City Council.

**Keith Klundt** was in favor of recommending the NMU text to the City Council. He felt the property owners were eager to proceed. He felt the City Council should determine project appropriateness on a case by case basis.

**John Montgomery** felt the NMU text should provide the City with greater control over developments. He felt the current text only provided the conditional use process to protect the City. He said the proposed development would include little residential property, leaving the majority to be commercial space. The commercial property faces Highway 89 but all traffic access would come from Main Street. He opposed the square footage limits being eliminated from the text. He was concerned developers would be able to sue the City if they were not allowed to proceed. He felt the developer had too much access to the text. He questioned who created the “conditional use” text.

[Kevin Poff arrived at 9:15.]

**David Petersen** said that after extensive debate, the NMU Committee agreed to use the proposed development as a guide. The City had been accused of wrapping the developer into the project. David Dixon had asked the Committee if they would like a proposal submitted. The Committee authorized it. He said the Committee members were respected citizens who were not afraid to voice their opinions.

**Chairman Ritz** said he had great respect for Mr. Dixon. He did not think Dave Dixon should be scrutinized since the Committee had invited his participation.

**John Montgomery** said citizens had left the public hearing when they learned the NMU was not the same as a CMU. They were unaware that the NMU would allow 240,000 square foot facilities. He did not think NMU zoning should allow buildings of that size.

**Jim Talbot** said he had concerns about the square footages that would be allowed if the text were approved. He did not think the text had been written by Mr. Dixon. He felt the document based on input received from other cities and from Committee Members. He felt it had been advantageous to consider a development while determining if the NMU would be successful.

**John Montgomery** felt the Planning Commission owed it to the public to not leave the text open ended. He felt the size concerns needed to be addressed.

**Jim Talbot** felt there should be one or two ways to access the development from the Frontage Road.

**Cindy Roybal** felt the traffic concerns had been considered on the Master Plan at Park Lane and potentially on the Frontage Road. She said the NMU zones are dependent on access.



She felt people had concerns with the text because of the size of the proposed development. She felt it was owed to the citizens to address the size issues.

**Keith Klundt** was concerned the property owners were not being considered.

**John Montgomery** stated the property owners had known their land was agricultural when they purchased it.

**Chairman Ritz** invited **Mr. Dixon** to address the Planning Commission.

**Dave Dixon** said he had been asked to be on the NMU Committee and to recommend the text since it was what he does for a living. He stated the text had come from a group of citizens that became known as the “Steering Committee”, as well as from the NMU Committee. Mr. Dixon consulted other cities that stated they have the developer prove the appropriateness of the proposed development. He said there were limitations on the proposed site that would keep the development below 240,000 square feet. He felt the text should be recommended to the City Council and the size concerns should be addressed as individual developments occur.

**Jim Talbot** asked Mr. Dixon if, in his professional opinion, he considered a 240,000 square foot building a commercial site. He stated it felt less commercial because of the sidewalks and other concepts that would give the development a “neighborhood feel”. He felt

**Mr. Montgomery** had made valid points and that many others were also concerned because the site plan was so large. He felt the developer had promoted his concept based on sales tax that would be generated. He asked Mr. Dixon if the proposed development were too large to be considered a NMU.

**John Montgomery** said the proposed NMU would be the same as CMU due to the limited residential areas.

**David Dixon** said there had been larger developments that had been considered mixed-use. He said grocery store based commercial sites are the most successful. Harmon's is anxious to be on the site but the project could not be successful if it were less than 50,000 square feet. He said there was an interest in the development because it is on the east side of the freeway. He suggested allowing the developer to present his proposal which the City could then consider. He felt UDOT's negative impact on Farmington needed to be addressed.

**Chairman Ritz** invited **Carly Neil** to address the Planning Commission.

**Carly Neil** (1454 North 900 West) said she was on both sides of the debate since she was a property owner who could lose her property and a "neighbor" to the issue. She felt it was unfair to allow the development to be discussed after the public hearing had closed.

**Chairman Ritz** said it was unfortunate that the development had come before the text. He questioned whether a square footage cap needed to be determined. He felt the text would allow projects to be determined on a case by case basis.

**John Montgomery** stated the conditional use issue had not protected Centerville City in the past. He said Farmington needed more protection than “conditional use”. He felt the City would lose their ability to limit building size and zoning law suits would occur. He felt building size should be more specific before recommending the text to the City Council.

**David Petersen** said there is always a risk that someone would interpret a conditional use, although Centerville’s situation had been different because the property had already been zoned. This developer wanted site plan and conditional use approval at the same time. He gave the example of the Haws development and said it was common for developers to request zoning at a later time. The City would not have to rezone the property if the development were not favored by the City.

**John Montgomery** said he would like the NMU zone to limit the zoning as in the Haws case.

Commission Members agreed the present decision did not pertain to zoning. The Planning Commission was only addressing the text.

**David Petersen** said the zoning ordinance could include a “reverter clause” which would revert back to the prior zone if the developer did not perform as committed.

**John Montgomery** felt the property zoning would be easy to achieve. He suggested including preventative text.

**Kevin Poff** said the building would not be allowed under the current NMU language unless the Planning Commission were to approve it.

**Cindy Roybal** suggested a square footage restriction be included in the text and questioned the square footage allowed in a CMU.

**David Petersen** said the City Council had changed it from 100,000 square feet to 65,000 square feet. He informed the Commission Members that the study session attendees had asked him to alter the square footage text since they were unable to define the word “limited”.

### **Motion**

**Cindy Roybal** moved to continue the meeting past 10:00 P.M. **Annie Hedberg** seconded the motion, which passed by unanimous vote.

**Jim Talbot** suggested holding a study session to determine what text would be sent to the City Council.

**David Petersen** referred to the BRT public hearing where an outline was created listing the pros and cons. He said a similar outline could be created to help the Planning Commission focus on the issues.

**John Montgomery** suggested the City's legal council review the NMU text.

**Motion**

**Jim Talbot** moved that the Planning Commission continue the matter to a subsequent meeting to allow time for additional study or changes before forwarding the text to the City Council. The Planning Commission requested a pros and cons outline be created by **David Petersen** and **Jim Carter**.

**John Montgomery** seconded the motion, which passed by a 6 to 1 vote.

The Planning Commission recessed at 10:05 P.M. and reconvened at 10:10 P.M.

[Kevin Poff was excused at 10:10 P.M.]

The Planning Commission agreed the study session would be held on Tuesday, June 7, 2005 at 5:30 P.M.

**JERRY PRESTON (PUBLIC HEARING) - APPLICANT IS REQUESTING A  
RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A PROPOSED  
PLANNED UNIT DEVELOPMENT CONSISTING OF 95 LOTS ON 32.3 ACRES  
LOCATED AT APPROXIMATELY 50 WEST 700 SOUTH IN THE LR, A, AND AE  
ZONES (S-7-05) (Agenda Item #4).**

**Background Information**

The Master Transportation Plan calls for an important local street to connect 200 East with the Frontage and another important local street connecting 50 East with 50 West Street. The Developer proposes to connect 50 West Street with Hollie Avenue (50 West Street) instead, but has not yet adjusted his plans to provide a through east to west important local street.

Wetlands exist on the property. Apparently, a plan to mitigate the wetlands off-site may have been approved by the Army Corps of Engineers. However, the City has not seen this plan.

END OF PACKET MATERIAL.

**David Petersen** stated the property was between 200 East and the Frontage Road. There was a band of wetlands that runs through the property. A portion of the wetlands was mitigated for the existing church site, as well as by another developer. He showed a copy of the proposed plan which would include 111 lots. The PUD would include “empty nester” type homes on the west side of the subdivision. The developer was requesting concept approval. **Mr. Petersen** reviewed the possible motions with the Planning Commission.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing and invited the applicant to address the Planning Commission.

**Jerry Preston** (347 East 100 North) asked for the Planning Commissions input regarding the proposed development. He felt there was a need for the “empty nester” development. He planned to berm the western side of the neighborhood and to widen the road which would access the Frontage Road. He said he would prefer eliminating the road which accessed 200 East. He stated that he had not yet purchased all of the property but wanted input regarding the development as a whole.

**Wes Holmes** (39 West 620 South) felt the existing corn field would be a loss but knew the construction would go through. He said he had met with the Police Chief and Max Forbush

who had assured him there would be additional roads to alleviate the increased traffic. He questioned whether the proposed plan met all of the requirements regarding open spaces. He stated the “empty nester” environment sounded like a conceptual plan.

**David Petersen** said a Yield Plan would need to be submitted. He reminded Mr. Holmes that the purpose of the meeting was to consider concept approval, which would not grant the developer any rights.

**Mr. Holmes** felt the phases of the development should be done in a way that would impact the neighbors as little as possible. He suggested starting the development on the west side and asked that dust control be enforced.

With no further comments, **Chairman Ritz** closed the public hearing and invited the Planning Commission to consider the issues.

The Planning Commission Members discussed dust control issues, as well as the drainage slope which would need further research. It was suggested that the open area be located between the horse property on the north and the higher density area. It would also be a benefit to enhance the open space to accommodate the “empty nesters”.

**Keith Klundt** felt there should be a connection from 200 East to the Frontage Road in



order to accommodate the 620 South residents. He also suggested acceleration/deceleration lanes be included in the project.

**Motion**

**John Montgomery** moved that the Planning Commission accept the schematic plan in concept, but table a recommendation for schematic plan approval until the following information is received and/or changes are made to the plan.:

1. A Yield Plan acceptable to Farmington City
2. A Wetland Mitigation Plan that meets U.S. Army Corps requirements.
3. Provide an east to west important local street connection from 200 East directly to the Frontage Road.
4. The property must be rezoned to LR-PUD concurrently with Preliminary Development Plan approval and Preliminary Plat approval subject to standards set forth in Chapter 27 of the Zoning Ordinance.

**Keith Klundt** seconded the motion, which passed by unanimous votes. **Keith Poff** was

not present during the voting.

### **Findings**

- Concept seems acceptable but would like additional information before moving forward.

**LANDFORM L.L.C. (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION FOR A ZONE DESIGNATION OF LR AND SCHEMATIC PLAN APPROVAL FOR A PROPOSED SUBDIVISION CONSISTING OF 13 LOTS ALL TOGETHER IN CONJUNCTION WITH AN ANNEXATION APPLICATION FOR 5.262 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1450 NORTH 1800 WEST (A-1-05). (Agenda Item #5).**

### **Background Information**

On May 12, 2005, the Planning Commission recommended that the City Council annex the subject property, which is adjacent to the Silverwood Subdivision recently approved by the City. The developer of this subdivision is providing a trail from the Frontage Road over to Haight Creek draw to a point located on the southwest boundary of the Landform L.L.C. (or Jeppson) property. This trail meets the goals of the Farmington City Trail Master Plan.

END OF PACKET MATERIAL.

**David Petersen** exhibited the site plan, as well as the conceptual plat. He stated there was a trail easement stubbed to the development which could be utilized. The applicant was requesting an LR zoning. **Mr. Petersen** said the lots were large and qualified for the zoning and suggested the Planning Commission recommend the approval to the City Council.

### **Public Hearing**

**Chairman Ritz** opened the meeting to a public hearing and invited the applicant to address the Planning Commission.

**Frank Ivory** (6631 Julia Way, Cottonwood Heights) stated he planned to create 13 lots on 5.262 acres which would equate to 1.7 lots per acre. Ron Martinez had received approval for the property west of his development which included 2.7 lots per acre. The purpose of making the lots larger was to ensure there would be larger homes with three car garages. He felt the plan blended with the existing neighborhood. Ivory Homes would be the builder on his property, as well as on the Martinez property. He stated the street had been stubbed to the east to provide Mr. Jensen access to his property. He said he would rather not have trails in the subdivision for security reasons. He questioned whether the property terrain would even allow for a trail system.

**Jared Jeppson** (1505 North 1500 West) was representing himself and his brother who own the property adjacent to Mr. Ivory's property. He was not in favor of including trails in the development. He questioned the type of detention that was required, the water loop, and the future sewer/storm drain hookups to his property.

**David Petersen** said the utilities would be accessible but did not know whether the City Engineer would require the utilities to extend to 1500 West. The utility easement would run through Lot # 7 and travel into the existing cul-de-sac.

With no further comments, **Chairman Ritz** closed the public hearing and invited the Planning Commission to consider the issues.

**Cindy Roybal** felt a trail would create safety issues due to the depth of the ravine. She said she would be interested in viewing the possible trail location with the Trails Committee.

### **Motion**

**Cindy Roybal** moved that the Planning Commission recommend that the City Council zone the property LR. **Keith Klundt** seconded the motion, which passed by unanimous vote.

**Motion**

**Cindy Roybal** moved that the Planning Commission recommend that the City Council grant schematic plan approval for a proposed development on the subject property subject to all applicable City standards and ordinances and the following;

1. Sensitive lands (stream channels, steep slopes, riparian areas, etc.) must be protected by a conservation easement.
2. A trail connection shall be provided to the trail in the Silverwood Subdivision, if feasible.
3. The subdivider shall loop the culinary water line back to another connection on the City's water system all in a manner acceptable to the City.
4. Lots 7 and 8 must be conservancy lots subject to the requirements of the Zoning Ordinance.

**John Montgomery** seconded the motion, which passed by unanimous vote.

**Findings**

- The zoning is appropriate for the area.
- The subdivision and plan appear to be appropriate. Additional information is needed for further study.

### **MISCELLANEOUS**

### **NERSISIAN BOUNDARY ADJUSTMENT PROPOSAL**

**David Petersen** showed the layout of the Nersisian property (173 West Pointe of View Circle) and outlined the Property Conveyance Agreement which included the following:

Grantor: Farmington City

Grantee: Jirayer and Margarit Nersisian

#### **Grantor Responsibilities:**

1. Establish access road/drainage ditch as southern boundary of property to be deeded to Grantee.
2. Survey and provide legal description for boundary of property to be deeded to Grantee.

3. Re-sculpture drainage basin and land between basin and North Compton Road per design by Farmington City Engineer and/or Public Works Department.
4. Deed property to Grantee after Grantee construction and landscaping responsibilities are complete.

Grantee Responsibilities:

1. Construct access road from North Compton Drive onto rear of property.
2. Build retention wall along cut for access road.
3. Provide landscaping and perpetual maintenance on land deeded by Grantor for weed and erosion control.
4. Provide 4-foot chain link fence from southwest corner of Grantee's property along deeded property line to North Compton Road and south along North Compton Road to the southwest corner of deeded property.
5. Participate in fence construction with Kiley.

The agreement would be subject to the Mayor's approval at the City Council meeting.

**Motion**

**John Montgomery** moved that the Planning Commission recommend the Property

Conveyance Agreement between Farmington City and Jirayer and Margarit Nersisian to the City Council. **Cindy Roybal** seconded the motion which passed by unanimous vote.

### **BUCKOOS**

**David Petersen** informed the Planning Commission that John Asay planned to purchase the old K-Mart property. Buckoos is a bargain-type store which outgrew its previous facility. Mr. Asay wanted to reserve their right to convert the garden center into a series of shops.

### **ADJOURNMENT**

**Jim Talbot** moved that the Planning Commission adjourn at 11:00 P.M.

---

*Cory Ritz, Chairman*

*Farmington City Planning Commission*